

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

GOFF GROUP, INC., et al.,

Plaintiffs,

v.

PHOENIX-DURANGO, L.L.C., et al.,

Defendants.

**CIVIL ACTION NO.
CV - 06-389**

MOTION TO CONTINUE STATUS CONFERENCE

The defendants and counterclaimants, Phoenix Durango, L.L.C., and Jeremy A. Henderson, Jr., and Jeremy A. Henderson, III, respectfully request the Court for a brief continuance of the on-the-record Status Conference set for 8:30 a.m. on Monday, December 18, 2006. The movants would respectfully show the Court that their lead counsel, Vernon L. Wells, II, has been directed to appear before the Honorable Charles Price, Presiding Judge of the Circuit Court of Montgomery County, for a hearing on the Original Participating Manufacturers' Application and Motion to Enforce the Arbitration Provisions of the Master Settlement Agreement and to Compel Arbitration in the case of the *State of Alabama, et al. v. Philip Morris et al.*, consolidated with *State of Alabama, et al. v. The American Tobacco Company, et al.*, and *Price Harden Blaylock, et al. v. The American Tobacco Company, et al.* .

The Status Conference scheduled by this Court directly conflicts with the previously scheduled hearing before Judge Price.

The movants respectfully request that the status conference be continued until 1:30 p.m. on December 18, 2006, or such other time as maybe convenient to the Court.

Respectfully submitted,

/s/Vernon L. Wells, II

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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December, 2006, I electronically filed the foregoing MOTION TO CONTINUE STATUS CONFERENCE with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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